

ORIGINAL

Arizona Corporation Commission



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BEFORE THE ARIZONA CORPORATION COMMISSION

NOV 16 2000

CARL J. KUNASEK

CHAIRMAN

JIM IRVIN

COMMISSIONER

WILLIAM A. MUNDELL

COMMISSIONER

2000 NOV 16 A 10:50

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
ADVANCED TELCOM GROUP, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE FACILITIES-BASED
AND RESOLD INTRASTATE
TELECOMMUNICATIONS SERVICES AND
PETITION FOR COMPETITIVE
CLASSIFICATION OF PROPOSED SERVICES

DOCKET NO. T-03842A-00-0130

PROCEDURAL ORDER

BY THE COMMISSION:

On February 29, 2000, Advanced TelCom Group, Inc. ("Applicant" or "Advanced") submitted to Docket Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide facilities-based and resold intrastate telecommunications services in Arizona. As part of its application, Applicant asks that the telecommunications services that it intends to provide be found "competitive" pursuant to Commission rules.

On July 5, 2000, the Commission's Utilities Division Staff ("Staff") filed a Staff Report.

On July 14, 2000, a Procedural Order was issued setting the matter for hearing and requiring Advanced to publish notice of its application. Applicant is required to publish notice of its filing in newspapers in all counties where service is to be provided.

On September 13, 2000, Advanced requested a continuance to allow it additional time to publish notice.

On September 19, 2000, a Procedural Order was issued granting the continuance and setting the hearing for November 29, 2000.

On October 10, 2000, Advanced filed Affidavits of Publication.

On November 14, 2000, Advanced filed a Motion for a Continuance. In its Motion, Advanced is requesting an additional 60 days to comply with the September 19, 2000 Procedural Order.

1 IT IS THEREFORE ORDERED that the hearing on the above application and petition of
2 Applicant currently scheduled for November 29, 2000 at 2:30 p.m. shall be continued to January 24,
3 2001 at 9 a.m. However, public comment will be taken on November 29, 2000 at 2:30 p.m., at the
4 time previously scheduled for hearing.

5 IT IS FURTHER ORDERED that Applicant shall file its proposed fair value rate base within
6 30 days of the date of this Order (pursuant to A.A.C. R14-2-103(B), this may be the same as original
7 cost rate base.) The fair value rate base shall include a description and value of all plant and
8 equipment (including the cost and location) currently held by the Company and intended to be used
9 to provide competitive telecommunications services to Arizona customers. In doing so, Applicant
10 may use any reasonable means of asset allocation, direct assignment or combination. In the
11 alternative, upon request made within 30 days of the date of this Order, Applicant may file its FVRB
12 information at least 90 days prior to providing service.

13 IT IS FURTHER ORDERED that the Applicant shall file information demonstrating how the
14 value of its plant and equipment (both current and projected) is related to its minimum and maximum
15 rates within 30 days of the date of this Order, or at least 90 days prior to providing service upon
16 request made within 30 days of this Order (such demonstration must include the amount of
17 depreciation expense and capital carrying costs related to the FVRB). In the alternative, Applicant
18 must demonstrate that such rates and charges are not unreasonable and constitute a fair rate of return
19 on rate base.

20 IT IS FURTHER ORDERED that Staff shall review the FVRB information filed and ascertain
21 that Applicant is utilizing the appropriate amount of depreciation and capital carrying costs in
22 determining its total service long-run incremental costs.

23 IT IS FURTHER ORDERED that Staff shall file disagreements, if any, with the proposed
24 FVRB and/or rates and charges, within 30 days of Applicant filing its FVRB information.

25 IT IS FURTHER ORDERED that the Applicant shall file specific disagreements/comments,
26 if any, to the Staff report by **12:00 noon** on November 22, 2000.

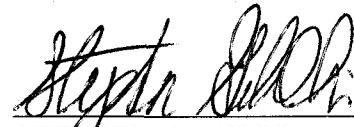
27 IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and
28 regulations of the Commission, except that every effort shall be made to respond within 48 hours of

1 receipt; the response time may be extended by mutual agreement of the parties involved if the request
2 requires an extensive compilation effort.

3 IT IS FURTHER ORDERED that in the alternative to filing a written motion to compel
4 discovery, any party seeking discovery may telephonically contact the Commission's Hearing
5 Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such
6 request, a procedural hearing will be convened as soon as practicable; and that the party making such
7 a request shall forthwith contact all other parties to advise them of the hearing date and shall at the
8 hearing provide a statement confirming that the other parties were contacted.¹

9 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
10 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

11 DATED this 16th day of November, 2000.

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14 
15 STEPHEN GIBELLI
ADMINISTRATIVE LAW JUDGE

16 Copies of the foregoing mailed/delivered
17 this 16th day of November, 2000 to:

18 Lance J.M. Steinhart
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27
28 ¹ The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

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14 By: 
15 Debbi Person
16 Secretary to Stephen Gibelli
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